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6 Attorneys for Defendant
7 TUSCANY HOTEL & CASINO, LLC

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
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11 GREGORY SMEADER,
12 Plaintiff,

13 vs.

14 TUSCANY HOTEL & CASINO, LLC, a
15 Nevada Limited Liability Company,
16 Defendant.

Case No. 2:15-cv-01640-RFB-VCF

**STIPULATION AND ORDER TO EXTEND
JOINT PRETRIAL ORDER DEADLINE**

(FIRST REQUEST)

17 Pursuant to Local Rules IA 6-1 and 26-4, Defendant Tuscany Hotel & Casino, LLC
18 (“Tuscany”) and Plaintiff Gregory Smeader (“Plaintiff”), by and through their undersigned counsel,
19 hereby stipulate to extend the deadline to file a Joint Pretrial Order for a period of thirty (30) days.
20 This is the first request for an extension to submit the Joint Pretrial Order deadline in this matter.
21 The requested extension is sought in good faith and not for purposes of undue delay.

22 The Court heard the parties’ Motions for Summary Judgment on December 11, 2017. (ECF
23 No. 49). Pursuant to Local Rule 26-4, the Joint Pretrial Order is due on January 10, 2018. A brief
24 thirty (30) day extension is requested for several reasons. Due to the holidays and previously
25 scheduled travel along with commitments in other matters, counsel need additional weeks to meet
26 and confer over exhibits and evidentiary issues prior to submission of the Joint Pretrial Order. As
27 such, the parties agree that this extension is necessary to allow both parties ample time to finalize the
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1 Joint Pretrial Order; as a result, there is no danger of prejudice to either party in granting this
2 extension. Further, the length of the delay is minimal. Therefore, there is a good reason for the
3 delay and the parties are seeking the requested extension of the Joint Pretrial Order deadline in good
4 faith. As a result, all elements that the court considers in evaluating the validity of the request for
5 extension are met. The parties believe that, absent any unforeseen circumstances, finalization of the
6 Joint Pretrial Order can be accomplished by the requested extended deadline.

7 Accordingly, the parties stipulate, subject to approval of this Court, to the following new
8 proposed deadline: Joint Pretrial Order shall be due on **Friday, February 9, 2018**.

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10 Dated: December 22, 2017

Dated: December 22, 2017

11 Respectfully submitted,

Respectfully submitted,

12 /s/ Michael P. Balaban, Esq.

/s/ Kaitlyn M. Burke, Esq.

13 MICHAEL P. BALABAN, ESQ.
LAW OFFICES OF MICHAEL P. BALABAN

RICK D. ROSKELLEY, ESQ.
KAITLYN M. BURKE, ESQ.
LITTLER MENDELSON, P.C.

14 Attorneys for Plaintiff

Attorneys for Defendant

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17 **IT IS SO ORDERED.**

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20 UNITED STATES MAGISTRATE JUDGE

21 DATED: 12-22-2017

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